## UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA SOUTH BEND DIVISION

In re FEDEX GROUND PACKAGE SYSTEM, INC., EMPLOYMENT PRACTICES LITIGATION	) ) ) )	Case No. 3:05-MD-527-RM (MDL 1700)
THIS DOCUMENT RELATES TO:	)	HIDGE MILLED
3:08-cv-520 ( <i>Campbell</i> - Nevada)	)	JUDGE MILLER
	)	

## STIPULATION OF RECORD TO BE TRANSFERRED TO TRANSFEROR COURT

On February 25, 2011, the Judicial Panel on Multidistrict Litigation ("JPML") ordered that this case be remanded to its transferor court, the United States District Court for the District of Nevada. (JPML 1700 Doc. No 172.) Pursuant to JPML Rule of Procedure 10.4(a), plaintiff and defendant FedEx Ground Package System, Inc. respectfully submit, as Exhibit A hereto, a list of the filings which the parties have agreed should constitute the record upon remand of this case to the transferor court.

While the parties have thoroughly reviewed the more than 2,500 entries in the master MDL docket, 3:05-md-527, and the individual case docket, 3:08-cv-520, to make a good-faith effort to identify all filings that are potentially applicable to this case upon remand, they stipulate that each party has the right to present any inadvertently-excluded filings to the transferor court. The parties further stipulate that the inclusion or exclusion of a particular filing in the attached list does not impact either party's ability to contest the filing's relevance to this case upon remand.

Dated: July 18, 2011.

## Respectfully submitted,

By: <u>/s/Chris A. Hollinger</u> Chris A. Hollinger By: <u>/s/ Brian R. Morris</u> Brian R. Morris

Robert M. Schwartz Chris A. Hollinger O'MELVENY & MYERS LLP 1999 Avenue of the Stars, Suite 700 Los Angeles, CA 90067-6035

Tel: (310) 553-6700 Fax: (310) 246-6779 Brian R. Morris 59 Damonte Ranch Pky #B-221 Reno, NV 89521 Tel: (775) 323-2800

Thomas J. Brunner Alison G. Fox BAKER & DANIELS LLP 202 S. Michigan St. South Bend, IN 46601 Tel: (574) 234-4149

Tel: (574) 234-4149 Fax: (574) 239-1900

Defendant's Lead and Liaison Counsel

Plaintiff's Counsel

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 18th day of July, 2011, the foregoing was filed with the Clerk of the Court using the CM/ECF system. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Susan E. Ellingstad seellingstad@locklaw.com

Robert I. Harwood <a href="mailto:rharwood@whesq.com">rharwood@whesq.com</a>

Lynn R. Faris <a href="mailto:lfaris@leonardcarder.com">lfaris@leonardcarder.com</a>

Peter J. Agostino agostino@aaklaw.com

Peter W. Overs, Jr. povers@whesq.com

The undersigned further certifies that a copy of the foregoing was mailed by United States Postal Service to the following non-CM/ECF participant:

Brian R Morris 59 Damonte Ranch Pky # B-221 Reno, NV 89521 775-323-2800

By: /s/ Chris A. Hollinger